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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID MANUEL MENCHACA,

Defendant.

Case No. SACR 04-00176-AHS

ORDER OF DETENTION

[Fed.R.Crim.P. 32.1(a)(6); 18 U.S.C.
§3143(a)]

The defendant having been arrested in this judicial district pursuant to a warrant issued by the Honorable Alicemarie H. Stotler, United States District Judge, for an alleged violation of the terms and conditions of the defendant's supervised release; and

The Court having conducted a detention hearing pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a), The Court finds that:

- A. (X) The defendant has not met his burden of establishing by clear and convincing evidence that he is not likely to flee if released under 18 U.S.C. § 3142(b) or (c). This finding is based on the defendant's lack of bail resources, lack of a stable residence, and the nature of the charged violations, which indicates the defendant is unlikely to comply with conditions of release; and
- B. (X) The defendant has not met his burden of establishing by clear and convincing evidence that he is not likely to pose a danger to the safety of any other person or the community if released under 18 U.S.C. § 3142(b) or (c). This finding

1 is based on the nature of the charged violations and defendant's criminal
2 history.

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4 IT THEREFORE IS ORDERED that the defendant be detained pending the further
5 revocation proceedings.

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8 Dated: March 5, 2010

9 /s/ Arthur Nakazato
10 ARTHUR NAKAZATO
11 UNITED STATES MAGISTRATE JUDGE
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